
EIGHTEENTH ANNUAL REPORT

OF THE

MASSACHUSETTS BOARD OF REGISTRATION IN PHARMACY,

FOR THE

YEAR ENDING SEPTEMBER 30, 1903.



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NAMES OF BOARD AND OFFICERS.

GEORGE M. HOYT, *President.*

CHARLES F. NIXON, *Secretary.*

FREEMAN H. BUTLER.

HENRY ADAMS.

WILLIAM F. SAWYER.

SIMON B. HARRIS, *Agent.*

Commonwealth of Massachusetts.

REPORT.

To His Excellency JOHN L. BATES, *Governor*.

SIR : — In compliance with the laws of the Commonwealth, which provide that the State Board of Pharmacy shall annually make a report to the Governor and Council concerning the condition of pharmacy in the State, also of its official acts and financial transactions during the preceding year, we have the honor to respectfully submit the following report.

Speaking from the commercial side of pharmacy, we are happy to state there has been a decided improvement in most parts of the Commonwealth over the conditions existing during the previous years. In many towns and cities, by persistent work and co-operation, the pharmacists have eliminated the cut-rate evil, and brought about a condition of fraternal organization, which has been of great benefit from both a financial and social point of view. This condition applies more particularly to the towns which are at a distance from the larger cities which are the centre of the cut-rate business. The pharmacists in and around greater Boston and its vicinity still have to contend with department stores and other disturbing influences which serve to degrade true pharmacy; but even here a change for the better has taken place, and by organization many improvements in the condition of the retail drug business have been made.

Pharmacy of to-day is a combination of science and business, and the pharmacist is both a business man and a professional one; but we think the professional side is not losing ground,

and that the pharmacists of Massachusetts, as a rule, take pride in their calling, and are willing to do all they can to help us maintain a high standard of pharmacy in our Commonwealth.

EXAMINATIONS.

During the past year our examinations have been conducted on the same general lines as in the preceding year, and consist of written, oral and practical work, with the identification of drugs, which we think serve to demonstrate the fitness of the candidate to become a registered pharmacist.

The per cent. of successful candidates has been somewhat larger than during the preceding year. The question is often asked, why so many fail to pass our examinations. The reasons are many, but one very important one, to which we wish to call particular attention at the present time, is the lack of a proper education. Too many young men enter the drug stores to learn the business without even a common school education, and are handicapped all their lives. They do not know how to study, and some of them cannot solve the simplest of mathematical problems. The rules of per cent. solution and decimal fractions, which are in constant use by the pharmacist of to-day, are beyond their comprehension. We would most strongly emphasize the great need of a thorough preliminary education for all young men before they enter the drug store for the purpose of learning the business; and we think it is the duty of every pharmacist to require that a young man should have a high school diploma before he accepts him as an apprentice. We would advise all young men entering the profession of pharmacy to avail themselves, if possible, of the advantages offered by the colleges of pharmacy in obtaining a pharmaceutical education.

ENFORCEMENT OF THE PHARMACY LAW.

When the Commonwealth conferred on the pharmacists of this State the privilege of selling spirituous liquors for medicinal purposes, its law makers recognized the fact that it is necessary there should be in every community a place where liquors can be obtained for medicinal use, and that the pharma-

cist is the proper person to be entrusted with their sale in connection with other medicines; for it is a fact that, when properly used, they are a necessity and a medicine, and are a legitimate part of the pharmacist's stock.

The sixth-class license, for which the pharmacist pays the nominal sum of one dollar, is a personal trust, given to him to use for the good of the community and not for the purpose of money making, and should be so regarded by him. A small minority of the pharmacists of our State, instead of making a liquor license an adjunct to their business, have used it as a cloak for the indiscriminate sale of liquor; and it is the purpose of this Board to prevent, if possible, such men from doing business, and every law-abiding pharmacist should support us in our efforts to drive them from our ranks.

The Board, through its agent, has investigated every complaint that has come to our office. If, on investigation, the complaint is sustained by facts, it is our policy to ask the pharmacist to obey the laws; and in many cases this request is sufficient, and no further action on our part is necessary. It is not the intention of the Board to interfere with the local authorities in the enforcement of the laws; but in some cases, where they will not act after the evidence has been laid before them, we have been obliged to take cases into court and have our agent act as the prosecuting officer, but this is only done as a last resort.

One of the requirements of a sixth-class license is that the holder shall properly record all sales of liquors made under it. During the years 1901 and 1902 many druggists failed to keep their liquor books properly. In consequence of these violations of the law, the Board was compelled in many cases to refuse to grant them a certificate, and the druggists were deprived of their licenses for a time. We are happy to say that a much better condition prevails this year, and, as a rule, the record books have been kept in a proper manner.

Frequent complaints come to our office in regard to the illegal sale of poisons, and we have been criticised for not enforcing the poison law, when the facts are that the Board of Pharmacy has nothing whatever to do with this law. In most of the States the sale of poisons are under the supervision of

the boards of pharmacy, but this is not the case in Massachusetts.

During the past year in a few instances unregistered men have tried to operate drug stores in violation of the pharmacy law, but as soon as our attention was called to them the stores were closed, or provision made to conduct them according to law.

Our agent has visited all parts of the State in the discharge of his duties, and his official report to the Board is made a part of this document. The secretary's report, which is appended hereto, will give a detailed account of our work and a financial statement covering the past year.

Respectfully submitted,

GEO. M. HOYT, *President.*

C. F. NIXON, *Secretary.*

F. H. BUTLER.

HENRY ADAMS.

WILLIAM F. SAWYER.

BOSTON, MASS., Oct. 1, 1903.

The term of office of Mr. F. H. Butler, the senior member of our Board, expired October 1 of this year, and under the provisions of the present pharmacy law he could not be reappointed. He has served continuously since its institution in 1885, a period of eighteen years, and during that time he has been conscientious, loyal and faithful in the discharge of his duties. A man of strong convictions and sterling integrity, he has always been ready to stand firmly for what he believed to be right. He leaves the Board with the honor and respect of all with whom he has been associated, and in his retirement the State loses the services of a faithful officer.

GEO. M. HOYT.

C. F. NIXON.

HENRY ADAMS.

WILLIAM F. SAWYER.

SECRETARY'S REPORT.

EXAMINATION ACCOUNT.

Meetings for examinations have been held on dates and with results as follows : —

1902-1903.	Days.	Examined.	Registered.	Rejected.
October 7,	1	8	2	6
November 10,	1	10	—	10
November 11,	1	11	5	6
November 18,	1	11	—	11
December 2,	1	7	2	5
December 16,	1	12	3	9
January 6,	1	10	4	6
January 13,	1	11	1	10
January 20,	1	11	2	9
January 27,	1	7	—	7
February 10,	1	11	4	7
February 24,	1	12	3	9
March 3,	1	9	2	7
March 10,	1	8	4	4
March 17,	1	11	3	8
March 24,	1	12	5	7
March 31,	1	12	3	9
April 7,	1	8	2	6
April 14,	1	7	—	7
April 28,	1	6	1	5
May 5,	1	6	3	3
May 12,	1	7	4	3
May 19,	1	8	2	6
May 26,	1	12	4	8
June 2,	1	11	3	8
June 4,	1	12	2	10
June 16,	1	10	4	6
June 19,	1	12	6	6
June 23,	1	12	2	10
June 24,	1	12	6	6
June 26,	1	11	2	9
September 15,	1	7	3	4
September 22,	1	5	1	4
September 29,	1	10	4	6
Totals,	34	329	92	237

Of the ninety-two certificates granted this year:—

25 passed on first examination.	3 passed on sixth examination.
21 " second "	2 " eighth "
19 " third "	2 " ninth "
9 " fourth "	1 " tenth "
10 " fifth "	

FINANCIAL STATEMENT FROM OCT. 1, 1902, TO OCT 1, 1903.

Examinations.

Fees received:—

For examination, 232 at \$3,	\$696 00
For examination, 117 at \$5,	585 00
For duplicate certificates, 7 at \$1,	7 00
	<hr/>
	\$1,288 00

Paid State Treasurer,	\$1,288 00
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NOTE.—Nov. 14, 1902, the examination fee of \$5 was returned to Thomas D. Driscoll, it having been found that he was ineligible for examination. The amount having been sent to the State Treasurer, it was subsequently returned to the Board, upon request of the secretary.

Applicants not examined, fees paid:—

Prior to Oct. 1, 1902:—

53 at \$3,	\$159 00
51 at \$5,	255 00
	<hr/>
	\$414 00

From Oct. 1, 1902, to Oct. 1, 1903:—

42 at \$3,	\$126 00
10 at \$5,	50 00
	<hr/>
	176 00
	<hr/>
	\$590 00

Certificates of Fitness.

Amount received from Oct. 1, 1902, to March 1, 1903, for certificates of fitness to expire April 30, 1903 (\$1 each), . . . \$41 00

Cash paid to State Treasurer, certificates having been granted, \$29 00

Fees returned, applications having been rejected or withdrawn, 12 00

Amount received from March 1, 1903, to Oct. 1, 1903, for certificates of fitness to expire April 30, 1904 (\$1 each), . . . \$1,222 00

Cash paid to State Treasurer, certificates having been granted, \$1,172 00

Fees returned, applications having been rejected or withdrawn, 47 00

Amount transferred to new account, applications continued for action by the Board, 3 00

Summary, Oct. 1, 1902, to Oct. 1, 1903.

Number of meetings held for hearings and miscellaneous business,	16
Number of hearings on applications for duplicate certificates,	2
Number of hearings on applications for certificates of fitness,	68
Number of hearings on violations of the pharmacy law,	14
Number of certificates suspended for five years,	3
Number of certificates suspended for three years,	1
Number of certificates suspended for one year,	1
Number of certificates suspended for six months,	1
Number of certificates suspended for three months,	6
Number of cases continued for sentence,	2
Number of formal complaints to the Board,	18
Number of pharmacists reinstated,	4

Annual appropriation for use of the Board of Registration in Pharmacy for the year ending Dec. 31, 1903 : —

Salaries of members,	\$2,400 00
Expenses of members,	1,475 00
Agent, salary and expenses,	2,400 00
Stenographer, witness fees, incidental and contingent expenses, including printing of annual report,	1,450 00
	<u>\$7,725 00</u>

NOTE. — The financial year of the State ends December 31; the financial year of the Board of Registration in Pharmacy ends September 30.

Expenditures of the Board for the year ending Sept. 30, 1903 : —

	Salaries.	Expenses.	Totals.
George M. Hoyt,	\$496 24	\$191 60	\$687 84
Charles F. Nixon,	990 59	392 15	1,382 74
Freeman H. Butler,	300 00	99 45	399 45
Henry Adams,	300 00	369 62	669 62
William F. Sawyer,	271 68	34 05	305 73
Amos K. Tilden,*	41 49	1 50	42 99
Simon B. Harris, agent,	1,500 00	696 90	2,196 90
Bessie B Burroughs, stenographer,	720 00	—	720 00
	<u>\$4,620 00</u>	<u>\$1,785 27</u>	<u>\$6,405 27</u>
Wright & Potter Printing Company,		\$125 47	
The Bradstreet Company,		50 00	
New England Telephone and Telegraph Company,		8 51	
Press Clipping Bureau,		21 35	
Remington Typewriter Company,		8 70	
		<u>\$214 03</u>	<u>\$6,405 27</u>
<i>Amounts carried forward,</i>		\$214 03	\$6,405 27

* Mr. Tilden's term of service did not expire until the appointment of Wm. F. Sawyer, Nov. 5, 1902.

<i>Amounts brought forward,</i>	214 03	\$6,405 27
The E. L. Patch Company,	25 14	
J. L. Hammett Company,	11 25	
Sampson, Murdock Company,	6 50	
J. L. Fairbanks Company,	8 98	
George M. Hoyt (for drugs),	21 77	
F. S. Webster Company,	2 35	
F. W. Barry Beale & Co.,	3 30	
Neostyle Company,	90	
William H. Bradford,	2 10	
Whitall Tatum Company,	4 68	
H. E. Webster Company,	3 73	
Spatula Publishing Company,	1 50	
F. S. Blanchard & Co.,	3 00	
Pocket Manual Company,	1 00	
Henry W. Stone,	14 70	
Dennison Manufacturing Company,	1 52	
Belknap & Co.,	1 50	
Whitney & Co.,	1 50	
Maynard & Duncan,	25	
New York & Boston Despatch Express Company,	25	
Paid for witness fees,	86 00	
Paid for postal supplies,	14 74	
Paid for laundry for examination department,	6 29	
	<hr/>	436 98
		<hr/>
		\$6,842 25

C. F. NIXON,

Secretary.

AGENT'S REPORT.

To the Board of Registration in Pharmacy.

Herewith for your consideration is a résumé of the work performed by me under your instruction during the year ending Sept. 30, 1903. A detailed account of service rendered and results obtained has already been submitted to you through my monthly reports.

The following registered pharmacists have died during the past year : —

Allen, Emory A., . . .	Randolph.	Owen, Timothy, . . .	Canton.
Conant, Charles H., . .	Concord.	Parker, Charles F., . .	Boston.
Gale, Stephen,	Boston	Phelps, Edward M., . .	Foxboro.
Gaudelet, William C., .	Newton.	Plumb, Sydney A., . . .	North Adams.
Harris, S. H., Jr., . . .	Methuen.	Shattuck, N. Lazelle, .	Barre.
Harwood, Frank L., . .	Warren.	Shaw, Henry F., . . .	Dalton.
Huntley, Joseph W., . .	Woburn.	Smith, Theophilus, . . .	Boston.
Keith, Walter C., . . .	Worcester.	Taylor, James P., . . .	New Bedford.
Martin, Alexander C., .	Chelsea.	Tucker, Alfred L., . . .	Springfield.
McGillivray, James S., .	Chelsea.	Weeks, Andrew G., . . .	Boston.

In the enforcement of the pharmacy laws of the Commonwealth, imposed upon the Board of Registration in Pharmacy, your representative has been sent to every portion of the State, to some localities several times. Whereas a majority of cases investigated came under the supervision of the Board and were remedied by ceasing to further violate the law, or by due process of court, a minority of complaints were found to be frivolous or actuated through malice, without any foundation, thereby unjustly attempting to injure the druggists and imposing useless expense upon the State, all of which served no useful purpose.

Complaints have not been as numerous during the year and prosecutions less than formerly, which certainly testifies creditably for the profession. There still remain a few tenacious,

would-be druggists, unregistered, who, under the pretext of having a registered partner, impose upon the public as druggists, until through repeated prosecutions they come to the conclusion that their business is subject to interference by the local authorities and the Board.

To illustrate : A store owned by a certain man, well known, unregistered, in —, has exhibited the tenacity referred to, for some time, although having been given good advice. The law forbids an unregistered proprietor of a drug store to conduct the business of pharmacy with a registered clerk. Notwithstanding this fact, several registered men were induced to jeopardize their certificates of registration under the pretext of being partners with him in the business. During the time this tenacious process was going on in this particular store, nine prosecutions and convictions of violators followed. Results : Fines paid, six hundred dollars ; four certificates of registration in pharmacy were suspended ; store closed.

Another illustration occurred in an adjoining city. A broker, unregistered, concluded to take upon himself the duties and the responsibilities of a registered pharmacist, assisted by an inexperienced young man. The store, on account of mismanagement, had been closed for some time prior to the new venture. The only semblance for conducting the store was conspicuously displayed, — the certificate of registration of a registered person. Shortly after the opening, the young man was detected selling intoxicating liquors. Prosecution and conviction in court followed. The proprietor was interviewed by your agent, in company with a police inspector. The following conversation took place : —

“ Who is the proprietor of this pharmacy ? ”

“ I am.”

“ Are you a registered pharmacist ? ”

“ No.”

“ By what authority do you conduct this drug store ? ”

“ I have a registered man,” — pointing to the certificate of registration.

“ Is he in at present ? ”

“ No.”

“ Where is he ? ”

“He has gone to Boston to buy goods.”

“Is he here supervising the store daily?”

“Here every day.”

“Now, isn’t it a fact that he is at present and has been for quite a while engaged in the lumber business in another town?” — giving the name.

The proprietor had to admit that he had not told the truth. The fact was, however, that the registered person in question had been out of the pharmacy business during the past eight years. The proprietor was prosecuted, charged with keeping and exposing for sale drugs, medicines, chemicals or poisons, without any authority in this Commonwealth; arrested and convicted. The registered man’s certificate of registration was suspended for five years. Store closed.

In the inspection of records of sales of liquor, made under a sixth-class license, in three instances the records disclosed a condition never contemplated under the license. In one instance over eight thousand sales had been recorded during the year. In two others, between five and six thousand sales were registered by each. The reason given for selling such quantities was this: “We supposed we were obliged to sell to every one who signs for it,” — notwithstanding it is optional under the license whether the licensee sells to any one, and, if he does, only for medicinal, mechanical and chemical purposes, using his discretion; and, if improper persons apply, they certainly ought to be refused.

These cases mentioned are rare, and conducted by the thoughtless, whereas the great majority in Massachusetts take pride in their calling, and justifiably so at the present time. They feel that their business is protected from interference by incompetent persons. It has been generally remarked by druggists met by me in my travel over the State that their business has been very good during the year, — more than an average.

During the year a new directory of all the drug stores in the State has been made, which shows that they are not as numerous as formerly. Those that have given up the business, in all probability, will not, under the present pharmacy laws, engage in the pharmacy business again.

Throughout the State the local authorities have rendered prompt assistance whenever called upon in the discharge of duty. They are entitled to grateful recognition.

RECAPITULATION.

Number of druggists deceased,	20
Number of drug stores in the Commonwealth,	1,530
Number of drug stores closed during the year,	15
Number of new drug stores opened for business,	7
Number of stores found owned by unregistered proprietors, no registered partners,	19
Number of complaints made to the Board investigated,	77
Number of complaints investigated and reported for prosecution,	46
Number of prosecutions,	41
Number convicted,	34
Number of cases continued for trial,	4
Number found not guilty,	3
Amount of fines imposed,	\$2,020
Number imprisoned,	3
Number of formal complaints made to the Board,	18

Very respectfully submitted,

SIMON B. HARRIS,
Agent.

L A W S

RELATING TO

THE PRACTICE OF PHARMACY

IN

MASSACHUSETTS.

1903.

LAWS RELATING TO PHARMACY.

[CHAPTER 76, REVISED LAWS.]

REGISTRATION OF PHARMACISTS.

SECTION 10. There shall be a board of registration in pharmacy consisting of five persons, residents of the commonwealth, who shall be skilled pharmacists, and shall have had ten consecutive years of practical experience in the compounding and dispensing of physician's prescriptions, and shall be actually engaged in the drug business. Not more than one member shall have any financial interest in the sale of drugs, medicines and chemicals, and the compounding and dispensing of physician's prescriptions in the same councillor district. One member of said board shall annually in September be appointed by the governor, with the advice and consent of the council, for a term of five years from the first day of October following, and no person appointed after the twenty-fifth day of June in the year eighteen hundred and ninety-nine shall serve as a member of said board for more than five consecutive years.

SECTION 11. Said board shall meet on the first Tuesday of October in each year at such time and place as it may determine, and shall organize by electing a president and secretary, who shall be members of the board and who shall hold their offices for the term of one year. The secretary shall give to the treasurer and receiver-general a bond with sufficient sureties, to be approved by the governor and council, for the faithful performance of his official duties. The board shall annually hold regular meetings on the first Tuesday of January, May and October, and additional meetings at such times and places as it shall determine.

SECTION 12. Each member of the board shall receive five dollars for every day actually spent in the performance of his duties and the amount actually paid by him, not exceeding three cents a mile each way, for necessary travelling expenses in attending the meetings of the board. The bills for such compensation and his incidental and travelling expenses shall be approved by the board and paid by the commonwealth. So much of the receipts from examinations as may

be necessary for the compensation and expenses of the board may, in addition to any amount authorized by the general court, be used for such purpose.

SECTION 13. The board shall keep a record of the names of all persons examined and registered hereunder and of all money received and disbursed by it, and a duplicate thereof shall be open to inspection in the office of the secretary of the commonwealth. Said board shall annually, on or before the first day of January, make a report to the governor and council of the condition of pharmacy in the commonwealth, of all its official acts during the preceding year and of its receipts and disbursements.

SECTION 14. A person who desires to do business as a pharmacist shall, upon payment of five dollars, be entitled to examination, and if found qualified shall be registered as a pharmacist and shall receive a certificate signed by the president and secretary of said board. Any person who fails to pass such examination shall upon request be re-examined after the expiration of three months at any regular meeting of the board, upon the payment of three dollars. All fees received by the board shall be paid by its secretary into the treasury of the commonwealth.

SECTION 15. Every person who has received a certificate of registration from the board shall conspicuously display the same in his place of business.

SECTION 16. The board shall hear all applications by registered pharmacists for the granting of sixth class licenses, if a hearing is requested by the applicant, and all complaints made to them against any person registered as a pharmacist charging him in his business as a pharmacist with violating any of the laws of the commonwealth, the enforcement of which is under the supervision of the board of registration in pharmacy, and especially of the laws relating to the sale of intoxicating liquors; or engaging with, or aiding and abetting, another in the violation of said laws; or, if he himself is not the owner and actively engaged in such business, with suffering or permitting the use of his name or certificate of registration by others in the conduct of the business of pharmacy. Such complaint shall set out the offence alleged and be made within fifteen days after the date of the act complained of. The board shall notify the person complained against of the charge against him and of the time and place of the hearing at which he may appear with his witnesses and be heard by counsel. Three of the members of the board shall be a quorum for such hearing. Witnesses at hearings before such board shall testify under oath and may be sworn by a member of the board. The board shall have power to send for persons and compel the attendance of witnesses at said hearings.

SECTION 17. If the full board sitting at such hearing finds the person guilty, the board may suspend the effect of the certificate of his registration as a pharmacist for such term as the board fixes, but the license or certificate of registration of a registered pharmacist shall not be suspended for a cause punishable by law until after his conviction by a court of competent jurisdiction.

SECTION 18. Whoever, not being registered as aforesaid, retails, compounds for sale or dispenses for medicinal purposes or keeps or exposes for sale drugs, medicines, chemicals or poisons, except as provided in section twenty-three, shall be punished by a fine of not more than fifty dollars. But the provisions of this section shall not prohibit the employment of apprentices or assistants under the personal supervision of a registered pharmacist.

SECTION 19. The board shall investigate all complaints of the violation of the provisions of sections ten to twenty-three, inclusive, and report the same to the proper prosecuting officers, and especially investigate and cause to be prosecuted all violations of sections twenty-one to twenty-nine, inclusive, of chapter one hundred.

SECTION 20. The board of registration in pharmacy may annually expend not more than two thousand dollars in the performance of its official duties.

SECTION 21. A registered pharmacist against whom a complaint or charge is pending before the board, or his counsel, shall have the same right of access to documents in the possession of said board as a person who is charged with crime in the courts of the commonwealth would have to documents in the possession of the clerk of the court or of the prosecuting officer.

SECTION 22. The court or magistrate before whom a person is convicted of a violation of section twenty-six of chapter seventy-five, of section eighteen of this chapter, of sections twenty-five, twenty-six, twenty-seven of chapter one hundred or of section two of chapter two hundred and thirteen shall send to the board of registration in pharmacy a certificate under seal showing the time, cause and place of conviction.

SECTION 23. The provisions of sections twenty-one to twenty-nine, inclusive, of chapter one hundred, section twenty-six of chapter seventy-five and section two of chapter two hundred and thirteen shall not apply to physicians who put up their own prescriptions or dispense medicines to their patients: nor to the sale of drugs, medicines, chemicals or poisons at wholesale only; nor to the manufacture or sale of patent and proprietary medicines; nor to the sale of non-poisonous domestic remedies usually sold by grocers and others; nor shall any unregistered member of a copartnership be liable to the penalties hereof if he retails, compounds for sale or dispenses for

medicinal purposes drugs, medicines, chemicals or poisons only under the personal supervision of a registered pharmacist. The widow, executor or administrator of a registered pharmacist who has died or the wife of one who has become incapacitated may continue his business under a registered pharmacist.

[CHAPTER 100, REVISED LAWS.]

DRUGGISTS AND APOTHECARIES.

SECTION 21. Druggists and apothecaries may sell pure alcohol for medicinal, mechanical or chemical purposes ; and wholesale druggists and apothecaries may also sell liquor of any kind, not to be drunk on the premises, under a license of the fourth class.

SECTION 22. No license for the sale of spirituous or intoxicating liquor, except of the sixth class, shall be granted to retail druggists or apothecaries. One or more licenses of the sixth class shall be granted annually by the licensing board of cities, or by the mayor and aldermen of cities having no such board, or by the selectmen of towns, to retail druggists or apothecaries who are registered pharmacists actively engaged in business on their own account, upon presentation to the licensing board of the certificate of fitness prescribed by the following section, if it appears that the applicant is a proper person to receive such license, and is not disqualified to receive it under the provisions of sections fifty-three and fifty-four. A registered pharmacist who owns stock of the actual value of at least five hundred dollars in a corporation which has been incorporated for the purpose of carrying on the drug business, and who conducts in person the business of a store of such corporation, shall be considered as actively engaged in business on his own account and as qualified to receive a license for such store.

SECTION 23. The board of registration in pharmacy may, upon the payment by an applicant for a license of the sixth class of a fee of not more than one dollar, issue to him a certificate, which shall not be valid after one year from its date, stating that in the judgment of said board he is a proper person to be entrusted with such license and that the public good will be promoted by the granting thereof. Any registered pharmacist against whom no complaints have been made to said board may be considered a proper person to receive such certificate. If complaint is made, it shall state in writing the reason why a certificate should be withheld.

SECTION 24. A license of the sixth class shall become null and void without any process or decree, if the registered pharmacist to whom it has been granted ceases to conduct his business in person

and on his own account, or upon the revocation of his certificate of registration as a pharmacist, unless the registered pharmacist has become unable to so conduct his business or has died, and his business is continued by his wife, widow, executor or administrator under another registered pharmacist.

SECTION 25. Retail druggists and apothecaries shall not sell intoxicating liquor of any kind for medicinal, mechanical or chemical purposes except upon the certificate of the purchaser, which shall state the use for which it is wanted, and which shall be immediately cancelled at the time of sale in such manner as to show the date of cancellation. They shall not, when making such sales upon the prescription of a physician, be subject to the provisions of the second clause of section seventeen.

SECTION 26. Every retail druggist and apothecary shall keep a book in which he shall enter, at the time of every such sale, the date thereof, the name of the purchaser, the kind, quantity and price of said liquor, the purpose for which it was sold, and the residence by street and number, if there be such, of said purchaser. If such sale is made upon the prescription of a physician, the book shall also contain the name of the physician and shall state the use for which said liquor is prescribed and the quantity to be used for such purpose, and shall be cancelled in the manner before provided with reference to certificates. Said book shall be in form substantially as follows: —

Date.	Name of Purchaser.	Residence.	Kind and Quantity.	Purpose of Use.	Price.	Name of Physician.
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The certificate mentioned in the preceding section shall be a part of said book and shall not be detached therefrom, and shall be in form substantially as follows: —

Certificate.

I wish to purchase _____
and I certify that I am not a minor and that the same is to be used for
* Mechanical * Chemical * Medicinal purposes. (Draw a line through
the words which do not indicate the purpose of the purchase.)

Signature _____

Cancelled _____

SECTION 27. The book, certificates and prescriptions provided for in the two preceding sections and the book provided for in section

thirty-two shall at all times be open to the inspection of the licensing board in cities having such boards and in all other cities and towns, to the inspection of the mayor and aldermen, selectmen, overseers of the poor, sheriffs, constables, police officers and justices of the peace.

SECTION 28. Whoever makes or issues a false or fraudulent certificate or prescription referred to in sections twenty-five and twenty-six shall be punished by a fine of ten dollars.

SECTION 29. Whoever, not being a registered pharmacist, procures a sixth class license for the sale of intoxicating liquors in the name of a registered pharmacist who is dead, or in the name of a registered pharmacist by borrowing, hiring or purchasing the use of his certificate, and who, being himself the owner or manager of the place, shall himself or by his servants sell intoxicating liquor, shall be punished by a fine of not less than fifty nor more than five hundred dollars, and by imprisonment for not less than one nor more than six months. The provisions of section ten of chapter two hundred and twenty shall not apply to such sentence.

[CHAPTER 213, REVISED LAWS.]

OF CRIMES AGAINST THE PUBLIC HEALTH.

SECTION 2. Whoever sells arsenic (arsenious acid), atropia or any of its salts, chloral hydrate, chloroform, cotton root and its fluid extract, corrosive sublimate, cyanide of potassium, Donovan's solution, ergot and its fluid extract, Fowler's solution, laudanum, Mc-Munn's elixir, morphia or any of its salts, oil of pennyroyal, oil of savin, oil of tansy, opium, Paris green, Parsons' vermin exterminator, phosphorus, prussic acid, "rough on rats," strychnia or any of its salts, tartar emetic, tincture of aconite, tincture of belladonna, tincture of digitalis, tincture of nux vomica, tincture of veratrum viride, or carbolic acid, without the written prescription of a physician, shall affix to the bottle, box or wrapper containing the article sold a label of red paper upon which shall be printed in large black letters the name and place of business of the vendor and the words Poison and Antidote, and the label shall also contain the name of an antidote, if any, for the poison sold. He shall also keep a record of the name and quantity of the article sold and of the name and residence of the person or persons to whom it was delivered, which shall be made before the article is delivered and shall at all times be open to inspection by the officers of the district police and by the police authorities and officers of cities and towns; but no sale of cocaine or its salts shall be made except upon the prescription of a physician. Whoever neglects to affix such label to such bottle, box or wrapper before

delivery thereof to the purchaser or whoever neglects to keep or refuses to show to said officers such record or whoever purchases any of said poisons and gives a false or fictitious name to the vendor shall be punished by a fine of not more than fifty dollars. The provisions of this section shall not apply to sales by wholesale dealers or manufacturing chemists to retail dealers, or to a general merchant who sells Paris green, London purple or other arsenical poisons in unbroken packages containing not less than one-quarter of a pound, for the sole purpose of destroying potato bugs or other insects upon plants, vines or trees, except that he shall record each sale and label each package sold, as above provided.

[CHAPTER 321, ACTS OF 1902.]

AN ACT TO AUTHORIZE THE BOARD OF REGISTRATION IN PHARMACY TO RECONSIDER ITS ACTION IN CASES WHERE IT MAY HAVE SUSPENDED OR REVOKED THE LICENSE OR CERTIFICATE OF REGISTRATION.

Be it enacted, etc., as follows:

SECTION 1. Section seventeen of chapter seventy-six of the Revised Laws is hereby amended by inserting after the word "suspended," in the fifth line, the words: — or revoked, — and by adding at the end thereof the words: — The board may at any time in its discretion reconsider its action in cases where it has suspended or revoked the license or certificate of registration of a pharmacist, and may change its determination as justice shall require, — so as to read as follows:— *Section 17.* If the full board sitting at such hearing finds the person guilty, the board may suspend the effect of the certificate of his registration as a pharmacist for such term as the board fixes, but the license or certificate of registration of a registered pharmacist shall not be suspended or revoked for a cause punishable by law until after his conviction by a court of competent jurisdiction. The board may at any time in its discretion reconsider its action in cases where it has suspended or revoked the license or certificate of registration of a pharmacist, and may change its determination as justice shall require.

SECTION 2. This act shall take effect upon its passage. [*Approved April 18, 1902.*]

[CHAPTER 505, ACTS OF 1902.]

AN ACT TO ESTABLISH THE SALARIES OF THE MEMBERS OF THE BOARD OF REGISTRATION IN MEDICINE, THE BOARD OF REGISTRATION IN PHARMACY AND THE BOARD OF REGISTRATION IN DENTISTRY.

Be it enacted, etc., as follows:

SECTION 1. The secretary of the board of registration in medicine shall receive a salary of twenty-five hundred dollars a year, and the other members of the said board shall each receive a salary of three hundred dollars a year.

SECTION 2. The secretary of the board of registration in pharmacy shall receive a salary of one thousand dollars a year, and the other members of said board shall each receive a salary of three hundred dollars a year, except that the chairman of said board shall receive a salary of five hundred dollars.

SECTION 3. The chairman and secretary of the board of registration in dentistry shall each receive a salary of four hundred dollars a year, and the other members of said board shall each receive a salary of two hundred dollars a year.

SECTION 4. Each member of the boards mentioned in sections one, two and three shall receive in addition to his salary his necessary travelling expenses actually incurred in attending the meetings of the board. The salaries and expenses of the members of the board of registration in medicine, the board of registration in pharmacy and the board of registration in dentistry shall be paid out of the treasury of the Commonwealth.

SECTION 5. The fees received for examination and registration of applicants before the board of registration in medicine, before the board of registration in pharmacy, and before the board of registration in dentistry, shall be paid monthly by the secretaries of the respective boards into the treasury of the Commonwealth.

SECTION 6. Sections four, twelve and twenty-seven of chapter seventy-six of the Revised Laws are hereby repealed.

SECTION 7. This act shall take effect on the first day of July in the year nineteen hundred and two. [*Approved June 23, 1902.*]

[CHAPTER 59, ACTS OF 1903.]

AN ACT MAKING APPROPRIATIONS FOR THE BOARD OF REGISTRATION IN PHARMACY.

Be it enacted, etc., as follows:

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary

revenue, for the purposes specified, for the year ending on the thirty-first day of December, nineteen hundred and three, to wit:—

For the salaries of the members of the board of registration in pharmacy, twenty-four hundred dollars.

For travelling and other expenses of the members of said board, a sum not exceeding fourteen hundred and seventy-five dollars.

For the salary and expenses of the agent of said board, a sum not exceeding twenty-four hundred dollars.

For a stenographer, witness fees and incidental and contingent expenses of said board, the same to include printing the annual report, a sum not exceeding fourteen hundred and fifty dollars.

SECTION 2. This act shall take effect upon its passage. [*Approved February 13, 1903.*]

